

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Qwest Communications)	WC Docket No. 02-148
International, Inc.)	
)	
Consolidated Application for Authority)	
to Provide In-Region, InterLATA Services)	
in Colorado, Idaho, Iowa, Nebraska)	
and North Dakota)	

REPLY COMMENTS OF ONEEIGHTY COMMUNICATIONS, INC.

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Dated: July 29, 2002

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OneEighty Communications, Inc. (“OneEighty”) submits these reply comments concerning the above-captioned Consolidated Application of Qwest Communications International, Inc. for Authority to Provide In-Region, InterLATA Services in Colorado, Idaho, Iowa, Nebraska, and North Dakota filed June 13, 2002 (“Application”).¹ As stated in its initial comments,² OneEighty Communications, a competitive local exchange carrier, provides facilities-based local exchange and long distance services, Internet access, web hosting, and data services to business customers in the Northwest.

¹ *Comments Requested on the Application By Qwest Communications International, Inc. for Authorization Under Section 271 of the Communications Act to Provide In-Region, InterLATA Service in the States of Colorado, Idaho, Iowa, Nebraska & North Dakota*, Public Notice, WC Docket No. 02-148, DA 02-1390, released June 13, 2002.

² Comments of OneEighty Communications, Inc., July 3, 2002 (“OneEighty Comments”).

I. QWEST CONTINUES TO FAIL TO PROVIDE ADEQUATE NUMBER PORTABILITY IN VIOLATION OF CHECKLIST ITEM 11

A. Legal Standard

In OneEighty's Comments, it urged the Federal Communications Commission ("FCC") to deny Qwest's Application for Provision of In-Region InterLATA Services in Colorado, Idaho, Iowa, Nebraska, and North Dakota because Qwest fails to satisfy the competitive checklist item for Local Number Portability.³ As stated in its comments, Section 251(b)(2) of the 1996 Act^{4, 5} requires all LECs "to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission."⁶ The 1996 Act defines number portability as "the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another."⁷

B. Events of July 18, 2002 Provide Additional Evidence that Qwest Lacks a Working System of Internal Controls for Number Portability

1. Events Leading Up to July 18, 2002

As described in OneEighty's Comments, Qwest's lack of a working system of internal controls to manage number portability was amply illustrated very recently on June 25, 2002.⁸ Briefly, NeuStar⁹ had sent Qwest, in error, a notification that it must either assume the 406/294 NPA/NXX (a OneEighty NPA/NXX), or number changes would have to be done for those customers. Qwest decided to assume the 406/294 NPA/NXX, which initiated a Local Exchange

³ OneEighty also urged denial because Qwest's PAP is seriously deficient.

⁴ Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996) (codified as amended in scattered sections of Title 47 of the United States Code) ("1996 Act").

⁵ 47 U.S.C. § 271(c)(2)(B)(xii).

⁶ 47 U.S.C. § 251(b)(2).

⁷ 47 U.S.C. § 153(30).

⁸ OneEighty Comments at 2 – 4.

Routing Guide (“LERG”) date of July 13, 2002 for the assumption. On June 25, 2002, prior to the scheduled LERG date, and without obtaining confirmation from OneEighty that the order to cancel its entire 406/294 NPA/NXX was correct, Qwest took the 294 prefix off all OneEighty’s trunk groups and assumed OneEighty’s 406/294 NPA/NXX. As a result, suddenly, at the beginning of a business day, no incoming calls from outside the OneEighty network would route to OneEighty if the dialed number started with 406/294 or was a QWEST ported number to OneEighty using the 406/294 LRN.

Apart from the outage itself, Qwest’s lack of internal controls was demonstrated by the fact that Qwest removed the 294 prefix from OneEighty’s trunk groups not addressing the critical elements that are supposed to be addressed prior to acquiring any working prefix. Qwest never checked to see whether or not there were E911 entries, LIDB entries, or Directory Assistance listings that needed to be changed from OneEighty to Qwest. For an ILEC to have skipped not just one, but all of those checkpoints, and simply re-route an entire prefix to a disconnect recording, is an enormous, baffling oversight. If any one of those items had been investigated before deleting the prefix from OneEighty’s working trunk groups, the error may have been avoided. Qwest’s actions on June 25, 2002 caused untold harm to OneEighty and the business customers that it serves (with their 6000+ lines) and showed that Qwest does not have adequate internal controls in place to assure reliability of its portability systems.

2. The July 18, 2002 Outage

Since filing its comments in this proceeding, OneEighty and its customers have experienced yet another major outage caused by Qwest. This latest outage occurred on July 18, 2002, less than two weeks ago, and was caused by Qwest’s failure to recall all of its actions that caused the June 25, 2002 outage.

⁹ Neustar is the NANPA administrator.

Qwest had assured OneEighty that it had reversed all paperwork it had issued and actions it had taken that had caused the June 25, 2002 outage and had permanently resolved the problem. Qwest's Service Manager of Wholesale Customer Service Operation advised OneEighty by letter dated June 28, 2002, that as a result of the outage on June 25, 2002, "... Qwest has canceled all associated orders for the 406 294 code change as well as orders for the code change associated with 406 384. All routing has been returned to the original configuration."

Despite Qwest's assurances, another outage occurred on July 18, 2002, again affecting OneEighty's 406/294 customer phone numbers: these OneEighty customers, once again, were not able to receive incoming calls from any number outside the 406/294 NPA/NXX, and callers from outside the 406/294 prefix heard a recording that the number called had been disconnected. As with the previous June 25, 2002 outage, the outage of July 18, 2002 lasted throughout the busiest time of the day for OneEighty's business customers, beginning before 7:30 a.m. (when customers began to complain), and lasting until around 3:00 p.m. Since this was a repeat of a recent, serious problem, OneEighty expected to be contacted by someone from Qwest at the vice-presidential level, but that did not occur.

OneEighty notified Qwest's Service Manager of the July 18 outage immediately. The cause of the outage was determined to be a Qwest-initiated change in the NPAC database showing all 406/294 numbers as now having the LRN of 406 651-1111 (a Qwest prefix) and the company owner as SPID (OCN) 9636, Qwest. Qwest was able to fix only a part of the problem: Qwest notified OneEighty at 9:45 a.m. that the triggers in the Billings West & Main C.O. had been removed so that all calls originating from those offices to 294 numbers would route to OneEighty correctly, but long distance calls to OneEighty 406/294 customers would still fail. Qwest advised OneEighty that Qwest could not make changes on the 406/294 file because it was in "Partially Failed" status. Finally, around 1:00 p.m., a NeuStar representative, with the help of

OneEighty's Director of Network Operations, was able to override the existing file in partial failure and to begin the process of changing 406/294 codes back to OneEighty. Most numbers were restored by 3:00 p.m., but the final range was not completed until the following morning (July 19, 2002).

OneEighty is very disturbed that Qwest allowed the second outage to occur, knowing how its actions had harmed OneEighty and so many consumers on June 25, 2002. Qwest assured OneEighty that the problem was solved, but having no working system of internal controls in place, the problem was not in fact solved. In fact, the second outage was caused because Qwest continued to process the initial NeuStar direction. OneEighty is also disturbed that even though Qwest participated in an effort to fix what it had caused, it could not solve the entire problem and had to call on help and intervention from NeuStar to resolve it.

Having just experienced two major outages in less than one month's time, OneEighty has good reason to believe that it is quite possible that Qwest still has not taken all action necessary to ensure that Qwest employees do not again issue orders to make Qwest the holder of OneEighty's 406/294 NPA/NXX. Because Qwest obviously does not have in place a system of internal controls to manage number portability, OneEighty fears that it is only a matter of time before its business customers are out of service again in the middle of a business day.

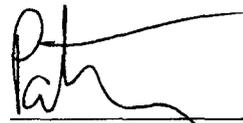
Qwest may not be found to meet the checklist item for number portability until it shows it has in place a working system of internal controls for ported numbers and translation procedures that includes some minimal safeguards against making errors of the magnitude OneEighty has experienced twice within the past month. All Qwest had to do to prevent the debacle of the first (June 25th) outage was obtain confirmation from OneEighty that the order to cancel an entire NPA/NXX was correct, or make a simple check of current traffic over the trunk group. Neither occurred because Qwest had no working system of internal controls for ported number

transactions in place. After one major outage, Qwest's failure to ensure that it had recalled all orders that it had issued to assume OneEighty's 406/294 NPA/NXX, and so causing a second major outage, leaves no doubt about its lack of internal controls.

II. CONCLUSION

As the Commission has noted, "number portability is essential to meaningful competition."¹⁰ For the foregoing reasons, and for the reasons stated in the initial OneEighty Comments, the Commission should deny Qwest's Application for Provision of In-Region InterLATA Services in Colorado, Idaho, Iowa, Nebraska, and North Dakota.

Respectfully submitted,



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¹⁰ *In the Matter of Telephone Number Portability*, 11 FCC Rcd. 8352, ¶ 28 (1996).